

Rail Topic Group Conference Call Friday, September 11, 1998 10:30-11:30 a.m. EDT

Participants on the call included:

Kevin Blackwell, FRA
Mike Butler, UETC
Sandy Covi, UPRR
Steve Hamp, DOE-NTP

The call began at approximately 10:30 a.m. EDT. Mr. Butler referred to the agenda he had earlier distributed and began the discussion with a "wrap-up" of items from the July TEC/WG meeting in Milwaukee. He examined a list of items pertaining to the Rail Topic Group that were raised at said meeting.

Mr. Butler informed participants that the items raised by the Nevada Nuclear Waste Project Office in the Topic Group Discussion Breakout session in July were discussed by the TEC/WG Planning Committee on 28 August and determined to be beyond the scope of the Topic Group. These items included a request for the Topic Group to discuss DOE's process for mode selection, the use of dedicated trains in spent fuel shipments, the feasibility of shipping low-level radioactive materials by rail, and inter-modal transfer issues. The Planning Committee determined that, while several of these items are important, they would be better served through treatment in a plenary or breakout session, or possibly through examination by a future Topic Group, rather than in the Rail Topic Group. Mr. Butler stressed that these issues were largely operational or policy-level in focus, and hence fall outside the scope of the Rail group. Mr. Hamp and others concurred with this statement. Mr. Blackwell asked for clarification as to what the process is for issues to be referred to a Topic Group. Mr. Butler said that in his view and in the view of the Co-Chairs and the TEC/WG Activity Manager, the Planning Committee would have the ultimate determination of whether an issue is relevant for a particular Topic Group. He added that this role of the Planning Committee is enhanced by the fact that TEC/WG members now sit on the Committee. Mr. Blackwell added that in his view the membership's endorsement of an item's importance is a key factor as to whether something should be referred to a Topic Group. Mr. Butler agreed, stating that generally speaking, an issue raised at a meeting by any attendee would not immediately be referred to a Topic Group. He said that it would take the endorsement of several members and the Planning Committee to be so referred.

This discussion raised the issue of what the exact scope and intent of the Rail Group's WIPP-PIG review is. Mr. Butler mentioned that the suggestion had been made in the Topic Group Discussion Breakout that the Group's WIPP-PIG companion piece, once completed, should be presented to the Western Governors' Association for "formal adoption." Mr. Butler said that this suggestion was also discussed by the Planning Committee on 28 August, when the Committee determined that such a "formal" process may not in fact exist and most likely would be beyond the reach of the Topic Group. Mr. Butler remarked to participants on the call that he felt the Group's work is intended only to provide more information on rail issues to the TEC/WG membership and should not proceed into the realm of attempting to establish policy recommendations. Moreover, he noted, attempting to develop recommendations would require a working group to comply with the Federal Advisory Committee Act (FACA), an act which does

not apply to either the TEC/WG or the Rail Topic Group. Participants on the call agreed with this statement. Mr. Butler commented that WGA would be aware of the progress of the Group's work given that the organization is represented within the TEC/WG's membership, and that no "formal" transmission would really be necessary. He said that as the Topic Group facilitator he would coordinate with WGA in the event that organization would desire to adopt the Group's work in some way once it is finished. Participants on the call concurred that the WIPP-PIG "companion" should serve only as an information resource, to document for the benefit of the TEC/WG what the approaches are pertaining to the rail mode for the major items outlined in the WIPP-PIG for highway transport. Mr. Hamp suggested that in the executive summary to the Rail Group's work the Group should highlight this point, to avoid any confusion that the Group is attempting to promulgate a policy statement or rule-making. Participants agreed to do so.

The Group then briefly reviewed the summary notes from the Group's July 13 meeting in Milwaukee, as well as the potential format and approach to the WIPP-PIG review. Mr. Butler suggested to participants that, rather than "assign" sections of the WIPP-PIG document to various participants for their review and written summary, it might be easier if he were to collate the comments and attempt to develop a draft document, which he would then distribute to the Group for review and revision. He felt doing so might help facilitate the process. Participants on the call agreed and offered their expertise where appropriate.

The Group moved into its continued discussion of the WIPP-PIG document, making some closing remarks on Section 4, "Safe Parking During Abnormal Conditions." Mr. Butler asked whether participants felt that "ability to reach the desired parking area", outlined as one of two key points in developing a safe parking hierarchy, was as important a factor for rail as highway. Mr. Blackwell and Ms. Covi pointed out that in the context of weather-related conditions it may not, but that mechanical and other factors could make it difficult for trains to reach the "safe haven." Participants endorsed the two factors driving the WIPP-PIG's hierarchy. They suggested that the section be summarized by describing and referencing the contingency plans in place for all major carriers, which are significant enough in complexity and scope to cover almost every potential "abnormal condition."

Discussion of Section 5, "Advance Notice of WIPP Shipments/Shipment Status Information" focused on the standard notification procedure and tracking capabilities used in transport of radioactive materials. Ms. Covi said that it was her understanding that a shipper is to provide a state governor's designee with advanced notification of a shipment of radioactive materials to enter that state, and added that she felt that process was sufficient. Discussion then turned to tracking shipments. Mr. Blackwell mentioned that FRA was funding the development of the Global Positioning System (GPS) for use by all rail carriers. Mr. Hamp suggested that this system be noted and described in the Group's work. Mr. Butler asked Mr. Blackwell for more information on this system. All participants pointed out that the rail dispatch center is probably the single best source for information about where a train is at any given time; Mr. Blackwell asked Ms. Covi what types of arrangements could be made for the dispatch center of a rail carrier to exchange information with a governor's office? He suggested that perhaps one representative from a state along the route be selected to represent all the states effected, and that representative could work from the dispatch center to answer all incoming queries from the states regarding the status of the train in question (It remained unclear as to whether carriers would be amenable to

this arrangement). Participants pointed out that TRANSCOM, the WIPP-PIG endorsed method for tracking "special" shipments such as the transuranic shipments to WIPP, could be used as well. In the context of keeping the Group's end product focused on what is actually in place for rail, rather than speculating on what arrangements could be adopted (given the Group's lack of enforcement power in carrying out any such recommendation), participants agreed to highlight TRANSCOM as a useful tracking tool for rail as well as highway shipments.

The Group adjourned at approximately 11:40 a.m. EDT, and tentatively scheduled its next call for Tuesday, October 6 from 10:30-11:30 a.m. EDT. An agenda for the call will be forthcoming.